

**REMARKS**

Reconsideration and allowance of the above-identified application are respectfully requested in view of the foregoing amendments and following remarks. Claims 9-14 and 23-27 are currently pending. Claims 1-8 and 15-22 have been canceled. Claims 23-27 (previously claims 1-3, 6 and 8, which were originally canceled in the Request for Filing Continuation/Divisional Application Under 37 C.F.R. §1.53(b)) have been reinstated.

**Nonstatutory Double Patenting Rejection:**

Claims 1-22 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-23 of U.S. Patent No. 6,290,673. In the action, the Examiner stated that a timely filed terminal disclaimer in compliance with 37 C.F.R. 1.321 (c) signed by a registered attorney of record may be used to overcome a rejection based on a nonstatutory double patenting ground. Moreover, as stated the Examiner, the terminal disclaimer overcomes the nonstatutory double patenting rejection if there is common ownership between the conflicting patent and the present application. Enclosed with this amendment is a terminal disclaimer with respect to U.S. Patent No. 6,290,673 in compliance with 37 C.F.R. 1.321 (c) signed by the registered attorney of record. The terminal disclaimer established common ownership between conflicting U.S. Patent No. 6,290,673 and the present invention. Therefore, the Applicant respectfully submit that the terminal disclaimer overcomes the nonstatutory double patent rejection.

CONCLUSION

For all of the above reasons, the Applicant respectfully submit that the present application, as amended, overcomes all objections and rejections raised by the Examiner in the Office Action. The Examiner is urged to allow the claims and pass the application to issue. Should the Examiner have any questions he is invited to call the attorney at the number listed below.

Respectfully submitted,

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